

MARTIN, MAGNUSON, MCCARTHY & KENNEY
ATTORNEYS AT LAW
101 MERRIMAC STREET
BOSTON, MASSACHUSETTS 02114-4716
TELEPHONE: (617) 227-3240
TELECOPIER: (617) 227-3346
WWW.MMMK.COM

A PROFESSIONAL CORPORATION

CHARLES P. REIDY, III
DANIEL J. GRIFFIN, JR.
PAUL R. KEANE
JOHN P. MULVEY
PAUL M. McTAGUE
EDWARD F. MAHONEY
DOUGLAS A. ROBERTSON
KEVIN C. REIDY
STEPHEN M. O'SHEA
SEAN M. ENNIS
MICHAEL J. KEEFE*

LYNDA RIESGO JENSEN
MARIA L. MAZUR
LAURA M. MARHOEFER
MICHAEL A. MURPHY+ # ^
ANTHONY R. BRIGHTON
MICHAEL B. DOHERTY+
KATHLEEN R. DAYAN
ANNA E. SPEROS
ALEXANDRA CASTRO♦
KAREN M. LODIGIANI!■
LAUREN P. MARINI

SENIOR COUNSEL
RAYMOND J. KENNEY, JR.

OF COUNSEL
NADINE NASSER DONOVAN+ #

EDWARD F. HENNESSEY (1949-
EPHRAIM MARTIN (1927-1988)
HAROLD E. MAGNUSON (1938-1999)
CLEMENT MCCARTHY (1951-1985)

*ALSO ADMITTED IN CT
+ALSO ADMITTED IN RI
^ALSO ADMITTED IN DC
#ALSO ADMITTED IN NY
♦ALSO ADMITTED IN FL
■ALSO ADMITTED IN NH
! ALSO ADMITTED IN PA

June 15, 2006

VIA ELECTRONIC FILING

Mr. Richard Nici
Docket Clerk
Honorable Justice Douglas P. Woodlock
United States District Court
for the District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

RE: Kathleen Martin v. Brigham & Women's Hospital and
Peter J. Millett, MD, et al.
United States District Court for the District of Massachusetts
Docket No. 1:05-cv-11716-DPW

Dear Mr. Nici:

Please be advised that this office represents the defendants, Brigham and Women's Hospital and Peter J. Millett, M.D. ("Massachusetts defendants"). Kindly have this correspondence confirm our telephone discussion this morning.

As the federal court docket reflects, on November 30, 2005 Judge Douglas Woodlock ordered that the cause of action against the Massachusetts defendants "shall be severed and remanded" to state court. (See federal court docket, dated 11/30/05.) Accordingly, the Massachusetts defendants are waiting for the case file to be transferred to Essex Superior Court for adjudication. It is our understanding that the Massachusetts defendants are not part of the case against defendant, Merck & Co., currently pending transfer to the Eastern District of Louisiana for MDL proceedings.

It is my understanding from our conversation that the Court is in the process of transferring the appropriate documents to state court for the case against the Massachusetts defendant to continue.

MARTIN, MAGNUSON, McCARTHY & KENNEY

Mr. Richard Nici

June 15, 2006

Thank you for your courtesy and attention to this matter.

Very truly yours,

Maria L. Mazur
Edward F. Mahoney

MLM/EFM

cc: Clifford Grandjean, Esq.